



PATENT
HMD2000-1-CIPB

3662

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Mark A. Sturza et al.

Examiner:

Serial No.: 09/833,094

Group Art Unit: 3662

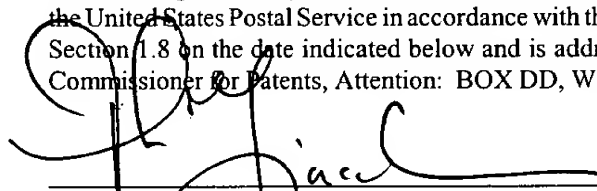
Title: **Method for Utilizing
Excess Communications Capacity**

Filed: 10 April 2001

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GROUP 3600

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Date 25 Jan
2002.

Thomas N. Giaccherini, Registration No. 31,075

FIRST DISCLOSURE STATEMENT

The Assistant Commissioner for Patents
Box DD
Washington, D.C. 20231

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Technology Center 2600

Sir:

The Applicants submit this First Disclosure Statement and completed Form PTO/SB/08A for their pending U.S. Patent Application. The documents listed in this First Disclosure Statement were cited in an International Search Report from the European Patent Office for a corresponding PCT International Patent Application which was mailed to the Applicants on 19 December 2001. A copy of the EPO ISR accompanies this First Disclosure Statement.

DISCLOSURE DOCUMENTS

U.S. Patent No. 5 864 557 issued to Lyons discloses a transport stream encoder, which comprises a plurality of component signal sources.

PCT International Patent Application Publication No. WO 97/18651 owned by Hughes Aircraft Company discloses a method and apparatus for an adaptor card for use in a computer to provide conditional access by the computer to incoming data streams. A copy of this document accompanies this First Disclosure Statement.

CERTIFICATION

Each item of information contained in this First Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this First Information Disclosure Statement.

CONCLUSION

The Applicants submit that none of the documents described above disclose the Invention as claimed in the present Patent Application. The Applicants believe that no fee is required to submit this First Disclosure Statement.

First Disclosure Statement for U.S. Patent Application entitled
Method for Utilizing Excess Communications Capacity
HMD2000-1-CIPB

Respectfully submitted,


Thomas N. Giaccherini,

Applicants' Attorney

Registration No. 31,075

25 Jan 2002.

Thomas N. Giaccherini

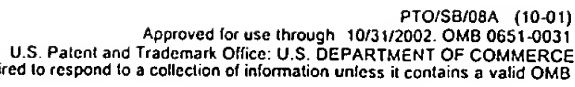
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:** Assistant Commissioner for Patents, Washington, DC 20231.